

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY, MAY 25, 2005
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
ROGER KRZEMINSKI
NANCY NEVERS

ABSENT: NONE

Also in attendance: Lawrence W. Dloski, Township Attorney
Jerome R. Schmeiser, Community Planning Consultant
James Van Tiflin, Township Engineer of Spalding DeDecker &
Associates. (Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call

Clerk KOEHS called the roll call. Trustee KRZEMINSKI arrived at 7:04 p.m.

2. Approval of Agenda Items (with any corrections)

MOTION by BUCCI seconded by NEVERS to approve the amended agenda as discussed.

MOTION carried.

3. Approval of the Bills

MOTION by DUNN seconded by NEVERS to approve the bill runs as presented.

MOTION carried.

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4. Approval of the May 11, 2005 previous Meeting Minutes

MOTION by BUCCI seconded by MALBURG to approve the May 11, 2005 previous Meeting Minutes.

MOTION carried.

5. **CONSENT AGENDA ITEMS:**

5A. **Clerks Department:**

1. **Extension of Site Condominium Development Plan; Regency Commerce Center, Phase II;** Located on the north side of 23 Mile Road, approximately ½ mile west of Romeo Plank Road; Antonio Cavaliere, Petitioner. Permanent Parcel No. 08-17-300-014.
2. **Extension of Time; Land Division Variance; Villagio Subdivision;** Located south of 26 Mile and west of Romeo Plank Road. Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046
3. **Release of Landscape Bond; Summerfield Estates Subdivision No. 4;** Located approximately ½ mile east of Heydenreich Road approximately 2,000 feet north of 21 Mile Road. North Branch Development, Petitioner. Permanent Parcel No. 08-27-100-027
4. **Release of Monuments & Irons Bond; Middlecreek Estates Subdivision;** Located north of 22 Mile Road approximately 600' east of Romeo Plank Road; Middlecreek Development, Petitioner. Permanent Parcel No. 08-21-352-003.

5B. **Department Monthly Reports:**

1. Building Department
2. Fire Department
3. Macomb County Sheriffs Department
4. Parks and Recreation Department
5. Water/Sewer Department

5C. **Water & Sewer Department:**

1. **Easement Encroachment Agreement, Mathew L. VanHowe & Wendy S. VanHowe,** 47884 Racewood Drive, Macomb, MI, 48044, Lot 285, Summerfield Estates Subdivision #1

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2. **Easement Encroachment Agreement, Kevin J. & Joanne M. Meyer,**
48470 Metamora Court, Macomb, MI 48044, Lot 61 Farmbrook Estates
Subdivision.
3. **Easement Encroachment Agreement, Derek & Jennifer Berdeski,**
16352 Lynnette Drive, Macomb, MI 48042, Lot 35 Altermatt Farms
Subdivision # 2.

MOTION by KRZEMINSKI seconded by KOEHS to approve the consent agenda items as submitted.

MOTION carried.

6. Public Comments (Non Agenda items only - 3 minute time limit)

Public Portion: Patricia Denert, representative on behalf of Allen Sanborn
resident of Bruce Township residing in the eleventh district.
Ms. Denert was present for informational purposes regarding other
Townships and Cities to assist with any questions of the Township
and or residents concerns.

PUBLIC HEARING:

7. Industrial Development District for P.T.I Industries.

Tabled to the June 8, 2005 Township Board of Trustees Meeting at the direction of
Supervisor John D. Brennan.

PLANNING COMMISSION:

8. **Rezoning Request; Agricultural (AG) to Residential One Family Urban (R-1);** Located on the north side of 25 Mile Road approximately 367.34 feet east of Broughton Road. Joe Caradonna, Petitioner. Permanent Parcel No. 08-03-300-008

Tabled for ninety (90) days at the direction of John D. Brennan, Supervisor

9. **Rezoning Request; Agricultural (AG) to Residential Estate One Family (R-1-E);** Located on the northwest corner of 24 Mile and Foss Roads. Vaso Gyftakis, Petitioner. Permanent Parcel No. 08-10-300-034

Tabled for ninety (90) days at the direction of John D. Brennan, Supervisor

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10. **Tentative Preliminary Plat; Char Estates Subdivision;** Located on the south side of 24 Mile Road, approximately 1½ miles east of Romeo Plank Road; Thomas Bernasconi Trust, Petitioner. Permanent Parcel No. 08-16-100-015.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Tom Bernasconi

Public Portion: None

MOTION by KOEHS seconded by MALBURG to approve the Tentative Preliminary Plat; Char Estates Subdivision and pursuant to the recommendation of the Planning Consultant and Planning Commission, that the proprietor apply for a Zoning Board of Appeals variance for the park area to be shared between Lots 17 and 18.

MOTION carried.

11. **Land Division Variance; Wexford Meadows Subdivision (§ 17-132 (h), long cul-de-sac and §17-132 (d) elimination of stub street);** Located on the east side of Heydenreich Road, approximately ½ mile south of 22 Mile Road; Joe VanHaverbeck, Petitioner. Permanent Parcel No. 08-27-100-034.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Bob Lindh along with Joe VanHaverbeck

Public Portion: None

MOTION by KOEHS seconded by DUNN to approve Land Division Variance; Wexford Meadows Subdivision, that Section 17-132(d) be granted to eliminate the stub street to the south. Permanent Parcel No. 08-27-100-034.

MOTION carried.

MOTION by KOEHS seconded by DUNN to approve Land Division Variance; Wexford Meadows Subdivision, that Section 17-138(h) be granted to create a cul-de-sac of 840 feet. Permanent Parcel No. 08-27-100-034.

MOTION carried.

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12. **Tentative Preliminary Plat; Wexford Meadows Subdivision;** Located on the east side of Heydenreich Road, approximately ½ mile south of 22 Mile Road; Joe VanHaverbeck, Petitioner. Permanent Parcel No. 08-27-100-034.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendation for approval.

Petitioner Present: Bob Lindh along with Joe VanHaverbeck

Public Portion: None

MOTION by DUNN seconded by BUCCI to approve the Tentative Preliminary Plat; Wexford Meadows Subdivision. It is further noted that the construction access for this development will be located off Heydenreich Road, across the northern metes-and-bounds residential lot (parcel #08-27-100-031) located to the west of this site that is owned by the Petitioner. Permanent Parcel No. 08-27-100-034.

MOTION carried.

13. **Land Division Variance; Bridgewater Estates Site Condominium (§17-132(d), elimination of stub streets);** Located on the south side of 24 Mile, approximately ¼ mile east of Romeo Plank Road; MSC Land Development, Petitioner. Permanent Parcel Nos. 08-17-252-011 and 08-17-201-002.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the request and the recommendations both for approval and denial.

Petitioner Present: Stacy Cerget

Public Portion: None

MOTION by KOEHS seconded by NEVERS to follow the recommendations of the Planning Consultant and Planning Commission and deny the Land Division Variance Request; Bridgewater Estates Site Condominium §17-132(d), elimination of northern stub street. Permanent Parcel Nos. 08-17-252-011 and 08-17-201-002.

MOTION carried.

MOTION by KOEHS seconded by NEVERS to approve the Land Division Variance Request; Bridgewater Estates Site Condominium §17-132(d), elimination of southern stub street. Permanent Parcel Nos. 08-17-252-011 and 08-17-201-002.

MOTION carried.

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NEW BUSINESS:

14. Request to renew Michigan Township Association MTA Membership Dues

Supervisor BRENNAN reviewed the request.

Public Portion: None

MOTION by DUNN seconded by NEVERS to approve the request to renew the Michigan Township Association MTA Membership Dues for the total cost of Five Thousand Two Hundred Eighty Eight dollars and 34/100 (\$5,288.34).

MOTION carried.

15. Request to authorize the Township Attorney to defend the Township of Macomb vs. DiVito.

Supervisor BRENNAN reviewed the request.

MOTION by KRZEMINSKI seconded by BUCCI to approve the request to authorize the Township Attorney to defend the Township of Macomb vs. DiVito.

MOTION carried.

Addition:

- 15a. Request to authorize the Township Attorney to defend the Township of Macomb.
v Sorrentino Builders, Inc.

Supervisor BRENNAN reviewed the request.

MOTION by KRZEMINSKI seconded by MALBURG to approve the request to authorize the Township Attorney to defend the Township of Macomb v Sorrentino Builders, Inc.

MOTION carried.

Addition:

- 15b. Request to Schedule a Public Hearing Date; Special Assessment District; Street Lighting (SAD); Tesner Park Subdivision; Located on the southeast corner of Card Road and Brantingham Road; Permanent Parcel No. 08-35-300-037 (Public Hearing Date: June 22, 2005)

Supervisor BRENNAN reviewed the request.

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MOTION by KOEHS seconded by MALBURG to approve the request to schedule June 22, 2005 as the Public Hearing Date for the establishment of a Special Assessment District for Street Lighting (SAD); Tesner Park Subdivision. Permanent Parcel No. 08-35-300-037.

MOTION carried.

Addition:

15c. Request to Adopt the Consumers Energy Company Gas Franchise Ordinance

Supervisor BRENNAN reviewed the request.

Public Portion: None

MOTION by DUNN seconded by NEVERS to approve the request for authorization to adopt and execute the Consumers Energy Company Gas Franchise Ordinance Agreement as follows:

**FOR THIS MOTION: DUNN, NEVERS, BUCCI, KRZEMINSKI,
MALBURG, KOEHS, BRENNAN.**

OPPOSED: NONE

ABSENT: NONE

ORDINANCE NO. 228

CONSUMERS ENERGY COMPANY GAS FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN, for a period of thirty years.

THE TOWNSHIP OF MACOMB ORDAINS:

SECTION 1. GRANT, TERM. The TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN, hereby grants to the Consumers Energy Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges,

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waterways, and other public places, and to do a local gas business in the TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. CONDITIONS. No highway, street, alley, bridge, waterway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes, or existing Township of Macomb utilities.

SECTION 4. HOLD HARMLESS. Said Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures and equipment hereby authorized. In case any action is commenced against the Township on account of the permission herein given, said Grantee shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

SECTION 5. EXTENSIONS. Said Grantee shall construct and extend its gas distribution system within said Township and shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

SECTION 7. RATES. Said Grantee shall be entitled to charge the inhabitants of said Township for gas furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate gas rates and rules regulating such service in said Township, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefore being made by either said Township, acting by its Township Board, or by said Grantee.

SECTION 8. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

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SECTION 9.

MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said Township.

SECTION 10. REPEALER. This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of a gas ordinance adopted by the Township Board on May 26, 1971, entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, and other public places, and to do a local gas business in the TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN, for a period of thirty years.

and amendments, if any, to such ordinance whereby a gas franchise was granted to Consumers Energy Company.

SECTION 11. EFFECTIVE DATE. This ordinance shall take effect upon the day after the date of publication thereof; provided, however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Township Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said Township and said Grantee.

We certify that the foregoing Franchise Ordinance was duly enacted by the Township Board of the TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN, on the 25th day of May, 2005.

John D. Brennan, Township Supervisor

Attest:

Michael D. Koehs, Township Clerk

MOTION carried.

BROADCAST MEDIA DEPARTMENT:

16. Request permission to purchase new messaging system

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James Gillis, Broadcast Media Director, reviewed the request.

Public Portion: None

MOTION by BUCCI seconded by KRZEMINSKI to approve the purchase request for a new messaging system (MediaXtreme MX5) through ProVideo Systems Inc. for the Township for the total cost of Five Thousand Five Hundred Seventeen dollars and 70/100 (\$5,517.70) plus shipping and handling.

MOTION carried.

BUILDING DEPARTMENT:

17. Vehicle Purchase Request

Dennis LeMieux, Assistant Building Official, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by KOEHS to approve the request to purchase two (2) Ford F-150 pickup truck vehicles for Township ordinance enforcement officers through Signature Ford in Lansing Michigan for the total cost of Twenty Three Thousand dollars and Seventy Four dollars and 00/100 (\$23,074.00).

MOTION carried.

18. Request for two (1) Electrical Inspectors to attend the Electrical Educational Conference

Dennis LeMieux, Assistant Building Official, reviewed the request.

Public Portion: None

MOTION by KOEHS seconded by MALBURG to approve the request to allow Bob Osterman to attend the electrical educational conference for the total cost of Three Hundred Thirty Four dollars and 64/100 (\$334.64). Meals and Mileage will be reimbursed based on the Township policies.

MOTION carried.

FIRE DEPARTMENT:

19. Request permission to adopt the 2005-2010 Macomb County Hazard Mitigation Plan

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Peter Lock Emergency Management Specialist with Macomb County. Mr. Lock gave a brief synopsis of the Hazardous Mitigation Plan.

Chief Ahonen reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by DUNN to approve the request and adopt the 2005-2010 Macomb County Hazard Mitigation Plan as follows:

**FOR THIS MOTION: KRZEMINSKI, DUNN, NEVERS, BUCCI,
MALBURG, KOEHS, BRENNAN.**

OPPOSED: NONE

ABSENT: NONE

2005-2010 Macomb County Hazard Mitigation Plan

RESOLUTION

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on May 25, 2005 at 7:00 P.M., Eastern Daylight Savings Time.

PRESENT: John D. Brennan, Michael D. Koehs, Marie Malburg, Dino F. Bucci, Jr., Janet Dunn, Roger Krzeminski, Nancy Nevers.

OPPOSED: None

ABSENT: None

The following preamble and resolution were offered by Member KRZEMINSKI and supported by Member DUNN:

WHEREAS, the Township of Macomb recognizes that hazardous materials affect all people in the Township of Macomb.

BE IT FURTHER RESOLVED BY the Township Board of Trustees that the Township of Macomb adopts the proposed Macomb County Hazard Mitigation Plan for 2005 -2010 as presented.

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**ADOPTED AT A REGULAR MEETING OF THE TOWNSHIP BOARD OF
TRUSTEES OF THE TOWNSHIP OF MACOMB HELD ON MAY 25, 2005.**

John D. Brennan, Supervisor

Michael D. Koehs, Clerk

RESOLUTION ADOPTED.

20. Request permission to adopt the 2003 International Fire Code

This matter was tabled. No action taken

21. Request permission to purchase Personal Protective Equipment

Chief Ahonen reviewed the request.

Public Portion: None

MOTION by BUCCI seconded by MALBURG to approve the purchase request for thirteen (13) breathing apparatus face pieces with a voice amplification system through Apollo Fire Equipment of Romeo for the total cost of Seven Thousand Eight Hundred dollars and 00/100 (\$7,800.00).

MOTION carried.

HUMAN RESOURCE DEPARTMENT:

22. Request to hire Full-time Maintenance Worker

John Brogowicz, Human Resource Director, reviewed the request.

Public Portion: None

MOTION by KOEHS seconded by BUCCI to approve the request to hire Steve Oliver as a full-time maintenance worker for the Township. This approval is contingent upon a favorable background investigation and drug testing. Effective June 6, 2005.

MOTION carried.

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23. Request for a leave of absence from the Fire Department

John Brogowicz, Human Resource Director, reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by KOEHS to approve the request for Paid-on-Call Fire Fighter Brian Studer for a Military leave of absence from the Township Fire Department under the provisions set forth in the CBA. The leave will begin May 15, 2005 and end June 30, 2005.

MOTION carried.

INFORMATIONAL TECHNOLOGY DEPARTMENT:

24. Request Approval for Special Assessment System Purchase

James Koss, Informational Technology Director, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by KOEHS to approve the request to purchase a special assessment system from BS & A Software for the total cost of Five Thousand Four Hundred Ninety Five dollars and 00/100 (\$5,495.00).

MOTION carried.

WATER/SEWER DEPARTMENT:

25. Temporary Cement Batch Plant Requests:

- A. Florence Pavement Providers
- B. John Carlo Incorporated

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the Florence Pavement Providers temporary cement batch plant for the paving of Hayes Road for a period of five (5) to six (6) days beginning at the end of May 2005.

MOTION carried.

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MOTION by DUNN seconded by BUCCI to approve the request for John Carlo Incorporated for the paving Strathmore Condominiums Phase 1 for a period of thirty (30) days beginning at the end of May 2005.

MOTION carried.

26. Request approval of printing and postage costs for the Water Quality Report

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

MOTION by KOEHS seconded by MALBURG to approve the request for the printing of the Water Quality Report through Litho Printing for the total cost of Ten Thousand One Hundred Twenty Five dollars and 00/100 (\$10,125.00).

MOTION carried.

27. Approval of Purchase Requisitions:

- A. Superior Lamp Inc.
- B. SLC Meter Service Inc.
- C. Lakeview Contracting Inc.

David Koss, Water & Sewer Department Superintendent, reviewed the request.

Public Portion: None

MOTION by KRZEMINSKI seconded by MALBURG to approve the purchase requisition request through Superior Lamp Inc. for office replacement lighting for Township Water & Sewer Department Building for the total cost of One Thousand Four Hundred Sixty dollars and 34/100 (\$1,460.34).

MOTION carried.

MOTION by MALBURG seconded by BUCCI to approve the purchase requisition request through SLC Meter Service Inc. for meters and customer installations for the total cost of Twenty Eight Thousand Thirty dollars and 16/100 (\$28,030.16)

MOTION carried.

MOTION by KOEHS seconded by MALBURG to approve the purchase requisition through Lakeview Contracting Inc. for sewer maintenance repairs for the total cost of Six Thousand Five Hundred Ninety Five dollars and 00/100 (\$6,595.00).

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MOTION carried.

BOARD COMMENTS:

28. Supervisor Comments:

Addition:

28a. The Road Commission of Macomb County Blanket Permit Requirement

Supervisor BRENNAN reviewed the request.

MOTION by KRZEMINSKI seconded by MALBURG to approve the request and authorize the Township Supervisor and Township Clerk to execute the new Blanket Permit for the Road Commission of Macomb County.

MOTION carried.

Addition:

28b. Educational Reimbursement Request; Township Employee

Supervisor BRENNAN reviewed the request.

MOTION by KOEHS seconded by DUNN to approve the request and allow Jennifer Czeiszperger, Township Assessing Department employee to attend the IAAO Advanced Income Course in Sault Ste. Marie Michigan. This course will be paid at the employee expense, time off will be taken as vacation and other expenses will be born by the employee. If in fact the employee successfully completes the course the Township will then reimburse the employee per the contract agreement under article 18.

MOTION carried.

Addition:

28c. Budget Hearing Date

Supervisor BRENNAN reviewed the request.

MOTION by KOEHS seconded by BUCCI to schedule Wednesday June 15, 2005 as the Budget Public Hearing Date at 6:00 p.m.

MOTION carried.

29. Clerk Comments:

- A. Request to Adopt a Resolution supporting Rosemary A. Hockney Memorial Foundation

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Clerk KOEHS reviewed the request.

MOTION by DUNN seconded by KOEHS to adopt a resolution supporting Rosemary A. Hockney Memorial Foundation as follows:

**Township of Macomb
County of Macomb
State of Michigan**

**Resolution of the Board of Trustees
Regarding the Rosemary A. Hockney Memorial Foundation**

At a regular meeting of the Macomb Township Board of Trustees that was called to order by Supervisor John D. Brennan on Wednesday, May 25, 2005 at 7:00 p.m., the following resolution was offered by DUNN and supported by KOEHS:

Whereas, The Rosemary A. Hockey Memorial Foundation was founded as a 501 (c)(3) non-profit organization in 2005 to provide assistance to children of families whose lives have been affected by cancer; and

Whereas, The Rosemary A. Hockney Memorial Foundation operates from Macomb Township at 46828 Ferguson Lane; and

Whereas, The Rosemary A. Hockney Memorial Foundation is desirous to conduct a raffle fundraiser on Sunday, August 21, 2005 to raise money for the foundation,

Now Therefore Be It Resolved, that the Macomb Township Board of Trustees applauds the goals of the Rosemary A. Hockney Memorial Foundation and recognizes it's efforts to raise funds in support of the fight against cancer; and,

Be it further resolved that, the Macomb Township Board of Trustees hereby has no objections to the proposed raffle fundraiser to be held on the Sunday, August 21, 2005.

**FOR THIS MOTION: DUNN, KOEHS, MALBURG, NEVERS, BUCCI,
KRZEMINSKI, BRENNAN**

OPPOSED: NONE

ABSENT: NONE

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Michael D. Koehs, Clerk

RESOLUTION ADOPTED.

30. Treasurer Comments: None

31. Trustees Comments: None

MOTION by BUCCI seconded by MALBURG to adjourn into executive session at 8:02 p.m. The Members of the Board reconvened at 8:50 p.m.

EXECUTIVE SESSION:

32. L & M Macomb LLC v Township of Macomb

MOTION by KOEHS seconded by NEVERS to authorize the Township Supervisor and Township Clerk to sign the consent judgment L & M Macomb LLC v Township of Macomb.

MOTION carried.

Addition:

33. Wolverine Golf Course Consent Judgment

MOTION by KOEHS seconded by DUNN to amend the Wolverine Golf Course Consent Judgment as discussed in executive session subject to due diligence.

MOTION carried. *(This motion was rescinded at the June 8, 2005 Township Board of Trustees Meeting)*

MOTION carried.

ADJOURNMENT:

MOTION by KOEHS seconded by MALBURG to adjourn the meeting at 8:51 p.m.

MOTION carried.

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Respectfully,

John D. Brennan, Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb